

MAR 19 2008

PTO/SB/21 (09-04)

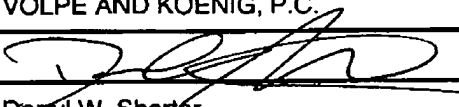
Approved for use through 07/31/2006.

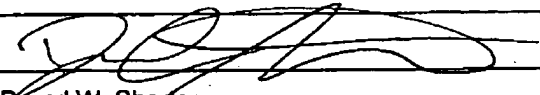
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/769,690
	Filing Date	January 22, 2004
	First Named Inventor	Kazakevich et al.
	Art Unit	2618
	Examiner Name	Richard Chan
Total Number of Pages in This Submission	Attorney Docket Number	I-2-0284.2US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Communication re Telephone Conference with Examiner re Issue of Non-Final Office Action (2 pages).
Remarks <div style="text-align: center;"><b>OFFICIAL FACSIMILE</b></div> 3 PAGES SENT VIA FACSIMILE TO 571-273-8300. PLEASE IMMEDIATELY DELIVER TO EXAMINER RICHARD CHAN, GROUP ART UNIT 2618.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	VOLPE AND KOENIG, P.C.		
Signature			
Printed name	Darryl W. Shorter		
Date	March 19, 2008	Reg. No.	47,942

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being sent Via Facsimile (571-273-8300) addressed to: Examiner Richard Chan, Group Art Unit 2618, on the date shown below:			
Signature			
Typed or printed name	Darryl W. Shorter	Date	March 19, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**RECEIVED  
CENTRAL FAX CENTER****MAR 19 2008****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In the PATENT APPLICATION of:****Kazakevich et al.****Application No.: 10/769,690****Confirmation No.: 8668****Filed: January 22, 2004****For: METHOD AND SYSTEM FOR  
IMPLEMENTING SMART ANTENNAS AND  
DIVERSITY TECHNIQUES****Group: 2618****Examiner: Richard Chan****Our File: I-2-0284.2US****Date: March 19, 2008****COMMUNICATION RE TELEPHONE CONFERENCE  
WITH EXAMINER RE ISSUE OF NON-FINAL OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On March 5, 2008, the undersigned and the Examiner conducted a telephone conference regarding the currently pending November 5, 2007 Office Action. During the telephone conference, the undersigned indicated that the Examiner had erroneously deemed the Office Action as a final Office Action. Upon review of the file, the Examiner agreed that the November 5, 2007 Office Action was improperly deemed final and indicated that a non-final office action would be reissued.

**Applicant: Kazakevich et al.**  
**Application No.: 10/769,690**

On March 18, 2007, the Examiner contacted the undersigned and indicated that a non-final Office Action would be reissued and the time reset for responding once the undersigned submitted a Communication to the U.S. Patent Office indicating this information.

Applicants respectfully request that the Examiner reissue a non-final Office Action and reset the time for filing a response.

The Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

Respectfully submitted,

Kazakevich et al.

By 

Darryl W. Shorter

Registration No. 47,942

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